

13-15839G

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re:

Pamela Fae Peele,

Debtor.

Bank of America, N.A.,

Appellant,

v.

Pamela Fae Peele,

Appellee.

Case No. 13-cv-03853-JEC

**NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

Pursuant to 28 U.S.C. § 158(d) and Fed. R. App. P. 3(a) and 6, Appellant Bank of America, N.A. hereby gives notice of appeal to the United States Court of Appeals for the Eleventh Circuit from the final order of the United States District Court for the Northern District of Georgia (Carnes, J.) and judgment entered in this case on December 16 and 23, 2013 [Dkt. # 7, 8], affirming the October 18, 2013, order entered by the United States Bankruptcy Court for the Northern District of Georgia (Hagenau, J.) (No. 12-81760, Dkt. # 52).

The names of all parties to the order appealed from and the names, addresses and telephone numbers of their respective attorneys are as follows:

<b>Appellant</b>	<b>Counsel</b>
Bank of America, N.A.	J. Kelsey Grodzicki Rubin Lublin LLC 3740 Davinci Court, Suite 150 Peachtree Corners, Georgia 30092 (770) 246-3324  <i>and</i>  Craig Goldblatt Wilmer Cutler Pickering Hale & Dorr LLP 1875 Pennsylvania Ave., N.W. Washington, D.C. 20006 (202) 663-6000
<b>Appellee</b>	<b>Counsel</b>
Pamela Fae Peele	E.L. Clark Clark & Washington, P.C. Bldg. 3 3300 Northeast Expressway Atlanta, Georgia 30341 (404) 220-0685

Respectfully submitted this 23rd day of December, 2013.

*/s/ J. Kelsey Grodzicki*

J. KELSEY GRODZICKI

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*Counsel for Bank of America, N.A.*

**FONT CERTIFICATION**

The undersigned counsel for Bank of America, N.A. hereby certifies that the within and foregoing was prepared using Times New Roman, 14-point font in accordance with LR 5.1(B).

This 23rd day of December, 2013.

/s/ J. Kelsey Grodzicki  
J. KELSEY GRODZICKI  
Georgia Bar No. 134259

*Counsel for Bank of America, N.A.*

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this 23rd day of December, 2013, served all parties in this matter with the foregoing by CM/ECF and by placing a true and correct copy of same in the United States Mail, with first-class prepaid postage affixed thereto, properly addressed as follows:

E.L. Clark  
Clark & Washington, P.C.  
Bldg. 3  
3300 Northeast Expressway  
Atlanta, Georgia 30341

/s/ J. Kelsey Grodzicki  
J. KELSEY GRODZICKI  
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13-15839C

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

PAMELA FAE PEELE,

Debtor,

BANK OF AMERICA, N.A.,

Appellant,

vs.

PAMELA FAE PEELE,

Appellee.

BANKRUPTCY CASE NO.

12-81760-WLH

ADVERSARY NO.

CIVIL ACTION FILE

NO. 1:13-cv-3853-JEC

**J U D G M E N T**

This action having come before the court, Honorable Julie E. Carnes, United States District Judge, for consideration of appellant's Motion for Order Affirming Decision of Bankruptcy Court, and the Court having granted said motion, it is

**Ordered and Adjudged** that the Order Granting Motion to Determine Secured Status of Claim of Junior Lien Holder Bank of America, N.A. entered in the United States Bankruptcy Court for the Northern District of Georgia by Judge Wendy L. Hagenau on October 18, 2013 is **AFFIRMED**.

Dated at Atlanta, Georgia this 23rd day of December, 2013.

JAMES N. HATTEN  
CLERK OF COURT

By: s/Denise D.M. McGoldrick  
Deputy Clerk

Prepared, Filed, and Entered  
in the Clerk's Office  
December 23, 2013  
James N. Hatten  
Clerk of Court

By: s/Denise D.M. McGoldrick  
Deputy Clerk

13-15839 C

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re:

Pamela Fae Peele,

Debtor.

Bank of America, N.A.,

Appellant,

v.

Pamela Fae Peele,

Appellee.

Case No. 13-cv-03853-~~REV~~JEC

**ORDER**

For the reasons set forth in the Motion for Summary Affirmance filed by Bank of America, N.A., the Order Granting Motion to Determine Secured Status of Claim of Junior Lien Holder Bank of America, N.A., ("Order") entered by the United States Bankruptcy Court for the Northern District of Georgia (Hagenau, J.) in this matter on October 18, 2013 is hereby AFFIRMED.

Date: Dec. 16, 2013

/s/ Julie E. Carnes

~~The Honorable Robert L. Vining, Jr.~~  
United States District Court Judge  
Julie E. Carnes

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk of Court

For rules and forms visit  
[www.ca11.uscourts.gov](http://www.ca11.uscourts.gov)

January 02, 2014

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Joseph Kelsey Grodzicki  
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Appeal Number: 13-15839-CC  
Case Style: Bank of America Bank, NA v. Pamela Peele  
District Court Docket No: 1:13-cv-03853-JEC  
Secondary Case Number: 12-bkc-81760-WLH

**This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause.**

The referenced case has been docketed in this court. Please use the appellate docket number noted above when making inquiries.

Eleventh Circuit Rule 31-1 requires that APPELLANT'S BRIEF BE SERVED AND FILED ON OR BEFORE February 3, 2014. APPELLANT'S APPENDIX MUST BE SERVED AND FILED NO LATER THAN 7 DAYS AFTER FILING OF THE APPELLANT'S BRIEF. Motions for extensions of time to file a brief are frowned upon by the court.

This is the only notice you will receive concerning the due date for filing briefs and appendices. See Fed.R.App.P. 28, 30, 31, 32, the corresponding circuit rules and General Order 39, for further information. (In cross-appels pursuant to Fed.R.App.P. 28(h), the party who first files a notice of appeal is the appellant unless the parties otherwise agree.)

Attorneys must file briefs electronically using the ECF system. Use of ECF does not modify the requirements of the circuit rules that counsel must also provide seven (7) paper copies of a brief to the court, nor does it modify the requirements of the circuit rules for the filing of appendices in a particular case.



Attorneys and pro se parties must file an appendix in conformance with 11th Cir. R. 30-1, 30-2 and General Order 39, available on the court's Web site. Pro se parties who are incarcerated are not required to file an appendix.

FRAP 26.1 and the accompanying circuit rules provide that the Certificate of Interested Persons and Corporate Disclosure Statement (CIP) must be filed by every appellant [and cross-appellant] with this court within 14 days after the date the appeal is docketed in this court, or along with the filing in this court by any party of any motion, petition, or pleading, whichever occurs first. The rules further provide that on the same day a certificate is electronically filed using the ECF system, the party filing it must also complete the court's web-based certificate at the Web-Based CIP link of the court's website. Pro se parties are **not required or authorized** to complete the web-based certificate.

Attorneys who wish to participate in this appeal must be properly admitted either to the bar of this court or for this particular proceeding pursuant to 11th Cir. R. 46-1. In addition, all attorneys (except court-appointed counsel) who wish to participate in this appeal must complete and return an appearance form within fourteen (14) days. Application for Admission to the Bar and Appearance of Counsel Form are available on the Internet at [www.ca11.uscourts.gov](http://www.ca11.uscourts.gov). The clerk may not process filings from an attorney until that attorney files an appearance form. See 11th Cir. R. 46-6.

11th Cir. R. 33-1(a) requires appellant to file a Civil Appeal Statement in most civil appeals. You must file a completed Civil Appeal Statement, with service on all other parties, within 14 days from the date of this letter. Civil Appeal Statement forms are available on the Internet at [www.ca11.uscourts.gov](http://www.ca11.uscourts.gov), and as provided by 11th Cir. R. 33-1(a).

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Joe Caruso, C  
Phone #: (404) 335-6177

DKT-7CIV Civil Early Briefing